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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR   | ATTORNEY DOCKET NO. | CONFIRMATION NO.           |  |
|-------------------|-------------|--|---------------------|----------------------------|--|
| 10/583,634        | 05/14/2007  | Bruno Reiter   | 2003P01973WOUS      | 3634                       |  |
| 46726             | 7590        | 11/27/2009<br>BSH HOME APPLIANCES CORPORATION<br>INTELLECTUAL PROPERTY DEPARTMENT<br>100 BOSCH BOULEVARD<br>NEW BERN, NC 28562 |                     |                            |  |
|                   |             | EXAMINER<br>FUQUA, SHAWNTINA T   |                     |                            |  |
|                   |             | ART UNIT<br>3742   |                     | PAPER NUMBER<br>ELECTRONIC |  |
| NOTIFICATION DATE |             | DELIVERY MODE  |                     |                            |  |
| 11/27/2009        |             | ELECTRONIC   |                     |                            |  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

NBN-IntelProp@bshg.com

|                              |                                      |                                      |
|------------------------------|--------------------------------------|--------------------------------------|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/583,634 | <b>Applicant(s)</b><br>REITER ET AL. |
|                              | <b>Examiner</b><br>SHAWNTINA FUQUA   | <b>Art Unit</b><br>3742              |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 30 June 2009.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 16-30 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 16-30 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 20 June 2006 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/06/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 16-22 and 24-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dennis et al (US5557704).

Dennis et al discloses a thick film heating device for use in a domestic appliance comprising a thick film heating element, a stainless steel heat transmission element, a triac as a power control device, a cooling device, a contacting device, a fluid chamber, and a moulded part with an inlet and outlet (column 3, line 56-column 4, line 55; column 6, line 25-column 7, line 64; Figures 1, 7, 8, 11). While Dennis et al does not disclose a power control is carried out by phase angle or pulse pause modulation, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included a power control is carried out by phase angle or pulse pause modulation as a matter of design choice.

3. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dennis et al as applied to claim 16 above, and further in view of Lorenz et al (US4864106).

Dennis et al discloses all of the recited subject matter except a PTC thick film heater. Lorenz et al discloses a PTC thick film heater (column 6, lines 19-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included a

thick film heater with PTC characteristics as taught by Lorenz et al in the heating device of Dennis et al because, a thick film heater with PTC characteristics prevents the heater from overheating.

***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHAWNTINA FUQUA whose telephone number is (571)272-4779. The examiner can normally be reached on Monday-Friday 8-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tu Hoang can be reached on (571) 272-4780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

stf  
November 22, 2009

/Shawntina Fuqua/  
Primary Examiner, Art Unit 3742